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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
(ALEXANDRIA DIVISION)

1/28/2010 P 4:41

Civil Action No. 1:10-cv-00090-JCC-TCB

1:10cv 90
(JCC/TCB)

Nike, Inc.,)
Plaintiff,)
v.)
NikePioneer.com; BuyNikeJordan.com;)
NikeShoesInc.com; NikeSelling.com;)
NikeRift.com; 688Nike.com;)
CheapNikeJordan.com; CheapNikeJordans.com;)
NikeCrazy.com; NikeStockCN.com;)
NikeObama.com; Nike-Brand.com;)
NikeCheap.com; NikeShoesVogue.com;)
NikeShoes86.com; NikeJordan-Shoes.com;)
CheapNikeSneaker.com; Whole-Nike.com;)
WholeNikeAAA.com; NikeSC.com;)
WellNike.com; CheapNikeOutlet.com; Nike-)
Factory.com; CheapNikeDunks.com;)
NikeShoes98.com; BBNike.com;)
CNNikeBrand.com; NikeLives.com;)
NikeShoesCity.com; NikeConfluence.com;)
NikeWon.com; NikeShoesWon.com;)
NikeQS.com; NikeShoeMarket.com;)
NikeSellWeb.com; CheapNikeShop.com;)
NikeSellOrder.com; NikeShoesMarket.com;)
NikeShoesRetro.com; NikeShoesBase.com;)
KicksNike1.com; iNikeSneakers.com;)
GoldNikeClub.com; NikeItaly.com;)
NikeLink.com; Nike-Rift.com;)
NikeJordanSky.com; LuckyNike.com;)
NikeSpaces.com; VeryGoodNike.com;)
Discount-Nike.com; NikeStyles.com;)
NikeShoxSale.com; NikeWholesaleShoes.com;)
Air-Nike-Shoes.com; NewNikeShoes.com;)
Nike-AAA.com; NikeFirm.com;)
NikeInStock.com; INeedNikeShoes.com;)
SoleNike.com; Nike-Kickz.com; Nike-)
Kick.com; Cheap-Nike.com;)
NikeShopOnline.com; and KidsNikeShoes.com,)
Defendants.)

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**COMPLAINT FOR IN REM INJUNCTIVE RELIEF UNDER THE
ANTICYBERSQUATTING CONSUMER PROTECTION ACT**

1 Plaintiff Nike, Inc. ("Nike") alleges as follows in support of its *in rem* claim against the
2 Internet domain names NikePioneer.com; BuyNikeJordan.com; NikeShoesInc.com;
3 NikeSelling.com; NikeRift.com; 688Nike.com; CheapNikeJordan.com; CheapNikeJordans.com;
4 NikeCrazy.com; NikeStockCN.com; NikeObama.com; Nike-Brand.com; NikeCheap.com;
5 NikeShoesVogue.com; NikeShoes86.com; NikeJordan-Shoes.com; CheapNikeSneaker.com;
6 Whole-Nike.com; WholeNikeAAA.com; NikeSC.com; WellNike.com; CheapNikeOutlet.com;
7 Nike-Factory.com; CheapNikeDunks.com; NikeShoes98.com; BBNike.com; CNNikeBrand.com;
8 NikeLives.com; NikeShoesCity.com; NikeConfluence.com; NikeWon.com; NikeShoesWon.com;
9 NikeQS.com; NikeShoeMarket.com; NikeSellWeb.com; CheapNikeShop.com;
10 NikeSellOrder.com; NikeShoesMarket.com; NikeShoesRetro.com; NikeShoesBase.com;
11 KicksNike1.com; iNikeSneakers.com; GoldNikeClub.com; NikeItaly.com; NikeLink.com; Nike-
12 Rift.com; NikeJordanSky.com; LuckyNike.com; NikeSpaces.com; VeryGoodNike.com; Discount-
13 Nike.com; NikeStyles.com; NikeShoxSale.com; NikeWholesaleShoes.com; Air-Nike-Shoes.com;
14 NewNikeShoes.com; Nike-AAA.com; NikeFirm.com; NikeInStock.com; INeedNikeShoes.com;
15 SoleNike.com; Nike-Kickz.com; Nike-Kick.com; Cheap-Nike.com; NikeShopOnline.com; and
16 KidsNikeShoes.com (the "Defendant Domain Names"):

19 **I. Jurisdiction and Venue**

20 1. This Court has subject matter jurisdiction of this claim pursuant to 28 U.S.C. §§
21 1331 and 1338.

23 2. This Court has *in rem* jurisdiction over the Defendant Domain Names pursuant to
24 15 U.S.C. § 1125(d)(2)(A)(ii)(II). This Court has *in rem* jurisdiction over the Defendant Domain
25 Names pursuant to 15 U.S.C. § 1125(d)(2)(A)(ii)(I) because Plaintiff Nike cannot obtain *in*
26 *personam* jurisdiction over their registrants, who are located outside of the United States and not
27 subject to personal jurisdiction in the United States. *In rem* jurisdiction is also proper because,
28

1 through due diligence, Nike was not able to find a person who would have been a defendant in a
2 civil action under 15 U.S.C. § 1125(d)(1) and has sent notice to the registrants of the Defendant
3 Domain Names, pursuant to 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(aa), and will promptly publish the
4 notice of the action after filing, should the court so direct, pursuant to 15 U.S.C. §
5 1125(d)(2)(A)(ii)(II)(bb). *In rem* jurisdiction is proper in this district pursuant to 15 U.S.C. §
6 1125(d)(2)(C)(i) because the domain name registry for the Defendant Domain Names is located in
7 this judicial district. Upon commencement of this case, documents sufficient to establish control
8 and authority regarding the disposition of the registration of the Defendant Domain Names will be
9 expeditiously deposited with the Court.

10
11 3. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1331(b)(2) and 15
12 U.S.C. §§ 1125(d)(2)(A) and (C).
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14 **II. Introduction**

15 4. This action has been filed by Nike to combat the unlawful cybersquatting of domain
16 names incorporating Nike's exclusive trademarks. The Defendant Domain Names trade upon
17 Nike's reputation and goodwill in order to sell and/or offer for sale unlicensed and counterfeit
18 product featuring Nike's trademarks. Through such actions, Nike is irreparably damaged through
19 consumer confusion, dilution and tarnishment of its valuable trademarks.

20 5. Nike seeks an injunction transferring the Defendant Domain Names to Nike.
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23 **III. The Parties**

24 6. Nike is a corporation duly organized and existing under the laws of the State of
25 Oregon having its principal place of business in Beaverton, Oregon.

26 7. Nike is informed and believes, and based thereon alleges, that the domain name
27 NikePioneer.com is registered to shuan ying Internet Co. LTD, putian licheng, putian, Fujian,
28

1 China, 351100, 0594@eputian.cn. The domain name registry for NikePioneer.com is VeriSign,
2 Inc. 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
3 NikePioneer.com is Xin Net Technology Corporation. Attached hereto as Exhibit 1 is a true and
4 correct printout from the Registrar's web page of the Whois information for NikePioneer.com.
5

6 8. Nike is informed and believes, and based thereon alleges, that the domain name
7 BuyNikeJordan.com is registered to shenzhirong, chengxiangqu jianshelu 112, putianshi,
8 fujiansheng, china 351100, 412622370@qq.com. The domain name registry for
9 BuyNikeJordan.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The
10 domain name registrar for BuyNikeJordan.com is Xin Net Technology Corporation. Attached
11 hereto as Exhibit 2 is a true and correct printout from the Registrar's web page of the Whois
12 information for BuyNikeJordan.com.
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14 9. Nike is informed and believes, and based thereon alleges, that the domain name
15 NikeShoesInc.com is registered to linqing, qing lin, putian, putian, fujian, China 351100,
16 505174048@qq.com. The domain name registry for NikeShoesInc.com is VeriSign , Inc., 21345
17 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeShoesInc.com is
18 Bizcn.com, Inc. Attached hereto as Exhibit 3 is a true and correct printout from the Registrar's
19 web page of the Whois information for NikeShoesInc.com.
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21 10. Nike is informed and believes, and based thereon alleges, that the domain name
22 NikeSelling.com is registered to nikeselling, qing lin, nikeselling, nikeselling, nikeselling, China
23 88888, info@88.cn. The domain name registry for NikeSelling.com is VeriSign , Inc., 21345
24 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeSelling.com is
25 Bizcn.com, Inc. Attached hereto as Exhibit 4 is a true and correct printout from the Registrar's
26 web page of the Whois information for NikeSelling.com.
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1 11. Nike is informed and believes, and based thereon alleges, that the domain name
2 NikeRift.com is registered to Zheng Xuesong, li wan qu long xi da dao, guang zhou, GD, China
3 510375, *admin@nikedunks-shoes.com*. The domain name registry for Defendant Domain Names
4 is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
5 NikeRift.com is Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached hereto as
6 Exhibit 5 is a true and correct printout from the Registrar's web page of the Whois information for
7 NikeRift.com.
8

9 12. Nike is informed and believes, and based thereon alleges, that the domain name
10 688Nike.com is registered to chenzhixiong, chenzhixiong, *arthurshoeseller@gmail.com*. The
11 registrant previously listed his information as 688nike, NO.592 licheng road, putian, fujian, China
12 351100, *arthurshoeseller@gmail.com*. The domain name registry for 688Nike.com is VeriSign ,
13 Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The current domain name registrar for
14 688Nike.com is Xin Net Technology Corporation. Attached hereto as Exhibit 6 are true and
15 correct printouts from the Registrar's web page of the past and current Whois information for
16 688Nike.com.
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18 13. Nike is informed and believes, and based thereon alleges, that the domain names
19 CheapNikeJordan.com and CheapNikeJordans.com are registered to chen junjun, chenjunjun,
20 putian, putian, Fujian, China 351100, *chenjunjun8@yahoo.com.cn*. The domain name registry for
21 CheapNikeJordan.com and CheapNikeJordans.com is VeriSign , Inc., 21345 Ridgetop Circle,
22 Dulles, Virginia 20166. The domain name registrar for CheapNikeJordan.com and
23 CheapNikeJordans.com is Xin Net Technology Corporation. Attached hereto as Exhibit 7 are true
24 and correct printouts from the Registrar's web page of the Whois information for
25 CheapNikeJordan.com and CheapNikeJordans.com.
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1 14. Nike is informed and believes, and based thereon alleges, that the domain name
2 NikeCrazy.com is registered to Lin Jian Xin, No. 169 Chenggong ST. nanan quanzhou, Fujian,
3 China 362300, *chenzhi1999@163.com*. The domain name registry for NikeCrazy.com is VeriSign
4 , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
5 NikeCrazy.com is OnlineNIC, Inc. Attached hereto as Exhibit 8 is a true and correct printout from
6 the Registrar's web page of the past and current Whois information for NikeCrazy.com.
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8 15. Nike is informed and believes, and based thereon alleges, that the domain names
9 NikeStockCN.com, NikeObama.com, Nike-Brand.com, NikeCheap.com and
10 NikeShoesVogue.com are registered to Chen Haibin, putian chenxiang, putian, Fujian, China
11 351100, *cns@cns18.com* and *cns@cns35.com*. The domain name registry for NikeStockCN.com,
12 NikeObama.com, Nike-Brand.com, NikeCheap.com and NikeShoesVogue.com is VeriSign , Inc.,
13 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeStockCN.com,
14 NikeObama.com, Nike-Brand.com, and NikeCheap.com is 35 Technology Co., Ltd. The domain
15 name registrar for NikeShoesVogue.com is OnlineNIC, Inc. Attached hereto as Exhibit 9 are true
16 and correct printouts from the Registrars' web pages of the Whois information for
17 NikeStockCN.com, NikeObama.com, Nike-Brand.com, NikeCheap.com and
18 NikeShoesVogue.com.
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20 16. Nike is informed and believes, and based thereon alleges, that the domain name
21 NikeShoes86.com is registered to Chen Si, putian chenxiang, putian, Fujian, China 351100,
22 *cns@cns18.com*. The domain name registry for NikeShoes86.com is VeriSign , Inc., 21345
23 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeShoes86.com is 35
24 Technology Co., Ltd. Attached hereto as Exhibit 10 is a true and correct printout from the
25 Registrar's web page of the Whois information for NikeShoes86.com.
26

1 17. Nike is informed and believes, and based thereon alleges, that the domain name
2 NikeJordan-Shoes.com is registered to Huang Lihua, putian chenxiang, putian, Fujian, China
3 351100, *cns@cns18.com*. The domain name registry for NikeJordan-Shoes.com is VeriSign , Inc.,
4 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeJordan-
5 Shoes.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 11 is a true and correct printout
6 from the Registrar's web page of the Whois information for NikeJordan-Shoes.com.
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8 18. Nike is informed and believes, and based thereon alleges, that the domain name
9 CheapNikeSneaker.com is registered to Hongyou Xiao, putian chenxiang, putian, Fujian, China
10 351100, *cns@cns18.com*. The domain name registry for CheapNikeSneaker.com is VeriSign ,
11 Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
12 CheapNikeSneaker.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 12 is a true and
13 correct printout from the Registrar's web page of the Whois information for
14 CheapNikeSneaker.com.
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16 19. Nike is informed and believes, and based thereon alleges, that the domain names
17 Whole-Nike.com and WholeNikeAAA.com are registered to Wu Zheng, putian chenxiang, putian,
18 Fujian, China 351100, *cns@cns18.com* and *cns@cns35.com*. The domain name registry for
19 Whole-Nike.com and WholeNikeAAA.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles,
20 Virginia 20166. The domain name registrar for Whole-Nike.com is 35 Technology Co., Ltd. The
21 domain name registrar for Whole NikeAAA.com is OnlineNIC, Inc. Attached hereto as Exhibit 13
22 are true and correct printouts from the Registrars' web pages of the Whois information for Whole-
23 Nike.com and WholeNikeAAA.com.
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25 20. Nike is informed and believes, and based thereon alleges, that the domain name
26 NikeSC.com is registered to Xingxing Zhou, putian chenxiang, putian, Fujian, China 351100,
27 *cns@cns18.com*. The domain name registry for NikeSC.com is VeriSign , Inc., 21345 Ridgetop
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1 Circle, Dulles, Virginia 20166. The domain name registrar for NikeSC.com is 35 Technology Co.,
2 Ltd. Attached hereto as Exhibit 14 is a true and correct printout from the Registrar's web page of
3 the Whois information for NikeSC.com.
4

5 21. Nike is informed and believes, and based thereon alleges, that the domain name
6 WellNike.com is registered to Aimei Lin, putian chenxiang, putian, Fujian, China 351100,
7 *cns@cns35.com*. The domain name registry for WellNike.com is VeriSign , Inc., 21345 Ridgetop
8 Circle, Dulles, Virginia 20166. The domain name registrar for WellNike.com is 35 Technology
9 Co., Ltd. Attached hereto as Exhibit 15 is a true and correct printout from the Registrar's web page
10 of the Whois information for WellNike.com.
11

12 22. Nike is informed and believes, and based thereon alleges, that the domain names
13 CheapNikeOutlet.com and Nike-Factory.com are registered to Dongyu Xu, putian chenxiang,
14 putian, Fujian, China 351100, *cns@cns35.com*. The domain name registry for
15 CheapNikeOutlet.com and Nike-Factory.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles,
16 Virginia 20166. The domain name registrar for CheapNikeOutlet.com and Nike-Factory.com is
17 OnlineNIC, Inc. Attached hereto as Exhibit 16 are true and correct printouts from the Registrar's
18 web page of the Whois information for CheapNikeOutlet.com and Nike-Factory.com.
19

20 23. Nike is informed and believes, and based thereon alleges, that the domain name
21 CheapNikeDunks.com is registered to Huawei Lin, putian chenxiang, putian, Fujian, China
22 351100, *cns@cns35.com*. The domain name registry for CheapNikeDunks.com is VeriSign , Inc.,
23 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
24 CheapNikeDunks.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 17 is a true and
25 correct printout from the Registrar's web page of the Whois information for
26 CheapNikeDunks.com.
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1 24. Nike is informed and believes, and based thereon alleges, that the domain name
2 NikeShoes98.com is registered to Huida Huang, putian chenxiang, putian, Fujian, China 351100,
3 *cns@cns18.com*. The domain name registry for NikeShoes98.com is VeriSign , Inc., 21345
4 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeShoes98.com is 35
5 Technology Co., Ltd. Attached hereto as Exhibit 18 is a true and correct printout from the
6 Registrar's web page of the Whois information for NikeShoes98.com.
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8 25. Nike is informed and believes, and based thereon alleges, that the domain name
9 BBNike.com is registered to Jianguo Dai, hhftghfgth, putian chenxiang, putian, Fujian, China
10 351100, *cns@cns35.com*. The domain name registry for BBNike.com is VeriSign , Inc., 21345
11 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for BBNike.com is
12 OnlineNIC, Inc. Attached hereto as Exhibit 19 is a true and correct printout from the Registrar's
13 web page of the Whois information for BBNike.com.
14

15 26. Nike is informed and believes, and based thereon alleges, that the domain name
16 CNNikeBrand.com is registered to Jinyan Xu, chenxiang, putian, Fujian, China 351100,
17 *cns@cns35.com*. The domain name registry for CNNikeBrand.com is VeriSign , Inc., 21345
18 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for CNNikeBrand.com is
19 Web Commerce Communications Limited dba WebNic.cc. Attached hereto as Exhibit 20 is a true
20 and correct printout from the Registrar's web page of the Whois information for
21 CNNikeBrand.com.
22

23 27. Nike is informed and believes, and based thereon alleges, that the domain name
24 NikeLives.com is registered to Newcentury trade co., ltd., putian chenxiang, putian, Fujian, China
25 351100, *cns@cns35.com*. The domain name registry for NikeLives.com is VeriSign , Inc., 21345
26 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeLives.com is 35
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1 Technology Co., Ltd. Attached hereto as Exhibit 21 is a true and correct printout from the
2 Registrar's web page of the Whois information for NikeLives.com.

3 28. Nike is informed and believes, and based thereon alleges, that the domain name
4 NikeShoesCity.com is registered to Qilin Xu, putian chenxiang, putian, Fujian, China 351100,
5 *cns@cns35.com*. The domain name registry for NikeShoesCity.com is VeriSign , Inc., 21345
6 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeShoesCity.com is
7 OnlineNIC, Inc. Attached hereto as Exhibit 22 is a true and correct printout from the Registrar's
8 web page of the Whois information for NikeShoesCity.com.

9 29. Nike is informed and believes, and based thereon alleges, that the domain name
10 NikeConfluence.com is registered to Wanchun Weng, putian chenxiang, putian, Fujian, China
11 351100, *cns@cns35.com*. The domain name registry for NikeConfluence.com is VeriSign , Inc.,
12 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
13 NikeConfluence.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 23 is a true and
14 correct printout from the Registrar's web page of the Whois information for NikeConfluence.com.

15 30. Nike is informed and believes, and based thereon alleges, that the domain names
16 NikeWon.com and NikeShoesWon.com are registered to Yongci Li, putian chenxiang, putian,
17 Fujian, China 351100, *cns@cns35.com*. The domain name registry for NikeWon.com and
18 NikeShoesWon.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The
19 domain name registrar for NikeWon.com is OnlineNIC, Inc. The domain name registrar for
20 NikeShoesWon.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 24 are true and correct
21 printout from the Registrars' web pages of the Whois information for NikeWon.com and
22 NikeShoesWon.com.

23 31. Nike is informed and believes, and based thereon alleges, that the domain name
24 NikeQS.com is registered to You Zhong, putian chenxiang, putian, Fujian, China 351100,
25

1 *cns@cns35.com*. The domain name registry for NikeQS.com is VeriSign , Inc., 21345 Ridgetop
2 Circle, Dulles, Virginia 20166. The domain name registrar for NikeQS.com is 35 Technology Co.,
3 Ltd. Attached hereto as Exhibit 25 is a true and correct printout from the Registrar's web page of
4 the Whois information for NikeQS.com.
5

6 32. Nike is informed and believes, and based thereon alleges, that the domain name
7 NikeShoeMarket.com is registered to Yuzhong Chen, putian chenxiang, putian, Fujian, China
8 351100, *cns@cns35.com*. The domain name registry for NikeShoeMarket.com is VeriSign , Inc.,
9 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
10 NikeShoeMarket.com is 35 Technology Co., Ltd. Attached hereto as Exhibit 26 is a true and
11 correct printout from the Registrar's web page of the Whois information for NikeShoeMarket.com.
12

13 33. Nike is informed and believes, and based thereon alleges, that the domain name
14 NikeSellWeb.com is registered to Zhifeng Xu, putian chenxiang, putian, Fujian, China 351100,
15 *cns@cns35.com*. The domain name registry for NikeSellWeb.com is VeriSign , Inc., 21345
16 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeSellWeb.com is 35
17 Technology Co., Ltd. Attached hereto as Exhibit 27 is a true and correct printout from the
18 Registrar's web page of the Whois information for NikeSellWeb.com.
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20 34. Nike is informed and believes, and based thereon alleges, that the domain names
21 CheapNikeShop.com, NikeSellOrder.com, NikeShoesMarket.com, and NikeShoesRetro.com are
22 registered to Zhiyong Xu, putian chenxiang, putian, Fujian, China 351100, *cns@cns35.com*. The
23 domain name registry for CheapNikeShop.com, NikeSellOrder.com, NikeShoesMarket.com, and
24 NikeShoesRetro.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The
25 domain name registrar for CheapNikeShop.com, NikeShoesMarket.com and NikeShoesRetro.com
26 is 35 Technology Co., Ltd. The domain name registrar for NikeSellOrder.com is OnlineNIC, Inc.
27 Attached hereto as Exhibit 28 are true and correct printouts from the Registrars' web pages of the
28

1 Whois information for CheapNikeShop.com, NikeSellOrder.com, NikeShoesMarket.com, and
2 NikeShoesRetro.com.

3 35. Nike is informed and believes, and based thereon alleges, that the domain name
4 NikeShoesBase.com is registered to Zhiyuan Xu, putian chenxiang, putian, Fujian, China 351100,
5 cns@cns35.com. The domain name registry for NikeShoesBase.com is VeriSign , Inc., 21345
6 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeShoesBase.com is 35
7 Technology Co., Ltd. Attached hereto as Exhibit 29 is a true and correct printout from the
8 Registrar's web page of the Whois information for NikeShoesBase.com.

9 36. Nike is informed and believes, and based thereon alleges, that the domain name
10 KicksNikel.com is registered to kevin dickerson, ckersonevin Road, hefei, anhui, China 9446252,
11 dickersonkevin@google.com and uu54478@gmail.com. The domain name registry for
12 KicksNikel.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain
13 name registrar for KicksNikel.com is GoDaddy.com, Inc. Attached hereto as Exhibit 30 are true
14 and correct printouts from the Registrar's web page of the past and current Whois information for
15 KicksNikel.com.

16 37. Nike is informed and believes, and based thereon alleges, that the domain name
17 iNikeSneakers.com is registered to fang chen, fangchen, putian, putian, Fujian, China 351100,
18 fangchen@yahoo.cn. The domain name registry for iNikeSneakers.com is VeriSign , Inc., 21345
19 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for iNikeSneakers.com is Xin
20 Net Technology Corporation. Attached hereto as Exhibit 31 is a true and correct printout from the
21 Registrar's web page of the Whois information for iNikeSneakers.com.

22 38. Nike is informed and believes, and based thereon alleges, that the domain name
23 GoldNikeClub.com is registered to goldnikeclub, fu jian xing pu tian shi cheng xiang qu, Putian, FJ
24 China, 351100. The domain name registry for GoldNikeClub.com is VeriSign , Inc., 21345
25

1 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for GoldNikeClub.com is
2 Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached hereto as Exhibit 32 is a
3 true and correct printout from the Registrar's web page of the Whois information for
4 GoldNikeClub.com.

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6 39. Nike is informed and believes, and based thereon alleges, that the domain names
7 NikeItaly.com, NikeLink.com and Nike-Rift.com are registered to DOMSON(HK)
8 INTRNATIONAL TRADING CO.,LTD, huang zhixiang, Shenzhen Futian Free Trade Zone, a
9 long-Business Building R, shenzhen, Beijing, China 510630, *ic0086@hotmail.com*. The domain
10 name registry for NikeItaly.com, NikeLink.com and Nike-Rift.com is VeriSign , Inc., 21345
11 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeItaly.com,
12 NikeLink.com and Nike-Rift.com is Xin Net Technology Corporation. Attached hereto as Exhibit
13 33 are true and correct printouts from the Registrar's web page of the Whois information for
14 NikeItaly.com, NikeLink.com and Nike-Rift.com.

16 40. Nike is informed and believes, and based thereon alleges, that the domain name
17 NikeJordanSky.com is registered to nikejordansky, mq chen, putian, putian fujian, China 351100,
18 *info@dingdian.cn*. The domain name registry for NikeJordanSky.com is VeriSign , Inc., 21345
19 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeJordanSky.com is
20 Bizcn.com, Inc. Attached hereto as Exhibit 34 is a true and correct printout from the Registrar's
21 web page of the Whois information for NikeJordanSky.com.

23 41. Nike is informed and believes, and based thereon alleges, that the domain name
24 LuckyNike.com is registered to putian shenzhou, NO.532 xueyuan road putian fujian, putian,
25 Fujian, China 351100, *linqf1@21cn.com*. The domain name registry for LuckyNike.com is
26 VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
27 LuckyNike.com is Web Commerce Communications Limited dba WebNic.cc. Attached hereto as
28

1 Exhibit 35 is a true and correct printout from the Registrar's web page of the Whois information
2 for LuckyNike.com.

3 42. Nike is informed and believes, and based thereon alleges, that the domain name
4 NikeSpaces.com is registered to haiao network, FuZhou DaLijia A-10-11#, Fuzhou, Fujian, China
5 350001, *mamingqu@163.com*. The domain name registry for NikeSpaces.com is VeriSign , Inc.,
6 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeSpaces.com is
7 Web Commerce Communications Limited dba WebNic.cc. Attached hereto as Exhibit 36 is a true
8 and correct printout from the Registrar's web page of the Whois information for NikeSpaces.com.

9 10 43. Nike is informed and believes, and based thereon alleges, that the domain name
11 VeryGoodNike.com is registered to lin huawei, fujian putian, Putian, FJ, China 351100,
12 *nanze_xu@hotmail.com*. The domain name registry for VeryGoodNike.com is VeriSign , Inc.,
13 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
14 VeryGoodNike.com is Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached
15 hereto as Exhibit 37 is a true and correct printout from the Registrar's web page of the Whois
16 information for VeryGoodNike.com.

17 18 44. Nike is informed and believes, and based thereon alleges, that the domain name
19 Discount-Nike.com is registered to nikaadidaspuma, Lee Tom, No1. Wenhua Road, JiaXiang,
20 Shandong, China, Shandong JiaXiang, China 272400, *lpyaa@hotmail.com*. The domain name
21 registry for Discount-Nike.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166.
22 The domain name registrar for Discount-Nike.com is eNom, Inc. Attached hereto as Exhibit 38 is
23 a true and correct printout from the Registrar's web page of the Whois information for Discount-
24 Nike.com.

25 26 45. Nike is informed and believes, and based thereon alleges, that the domain name
27 NikeStyles.com is registered to Guangming Ren, gongye road no 523, fuzhou, fujian, China

1 350002, *ren0594@126.com*. The domain name registry for NikeStyles.com is VeriSign , Inc.,
2 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for NikeStyles.com is
3 Xin Net Technology Corporation. Attached hereto as Exhibit 39 are true and correct printouts
4 from the Registrar's web page of the past and current Whois information for NikeStyles.com.
5

6 46. Nike is informed and believes, and based thereon alleges, that the domain name
7 NikeShoxSale.com is registered to Sandra, sole st, SH ST, WG, US 618727,
8 *sandrajbellamy@hotmail.com*. The domain name registry for NikeShoxSale.com is VeriSign ,
9 Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
10 NikeShoxSale.com is Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached
11 hereto as Exhibit 40 is a true and correct printout from the Registrar's web page of the Whois
12 information for NikeShoxSale.com.
13

14 47. Nike is informed and believes, and based thereon alleges, that the domain name
15 NikeWholesaleShoes.com is registered to xinlan, xu xinlan, unknown, xian shanxi, China 750001,
16 *shoeswholesale@msn.com*. The domain name registry for NikeWholesaleShoes.com is VeriSign ,
17 Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for Defendant
18 Domain Names is Bizcn.com, Inc. Attached hereto as Exhibit 41 is a true and correct printout from
19 the Registrar's web page of the Whois information for NikeWholesaleShoes.com.
20

21 48. Nike is informed and believes, and based thereon alleges, that the domain name Air-
22 Nike-Shoes.com is registered to Lin Fangfang, putian, fujian, putian, Fujian, China, 351100,
23 *shopingnike@gmail.com*. The domain name registry for Air-Nike-Shoes.com is VeriSign , Inc.,
24 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for Air-Nike-
25 Shoes.com is Xin Net Technology Corporation. Attached hereto as Exhibit 42 is a true and correct
26 printout from the Registrar's web page of the Whois information for Air-Nike-Shoes.com.
27
28

1 49. Nike is informed and believes, and based thereon alleges, that the domain name
2 NewNikeShoes.com is registered to newshoes, tina wang, baiyun, guangzhou, China 510405,
3 askshoes99@yahoo.com.cn. The domain name registry for NewNikeShoes.com is VeriSign , Inc.,
4 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
5 NewNikeShoes.com is FastDomain, Inc. Attached hereto as Exhibit 43 is a true and correct
6 printout from the Registrar's web page of the Whois information for NewNikeShoes.com.
7

8 50. Nike is informed and believes, and based thereon alleges, that the domain name
9 Nike-AAA.com is registered to jinqui hu, chengxiangqudongshenlu166 putian fujian china, putian,
10 fujian, China 351100, wholesale2020@gmail.com. The domain name registry for Nike-AAA.com
11 is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
12 Nike-AAA.com is GoDaddy.com, Inc. Attached hereto as Exhibit 44 is a true and correct printout
13 from the Registrar's web page of the Whois information for Nike-AAA.com.
14

15 51. Nike is informed and believes, and based thereon alleges, that the domain name
16 NikeFirm.com is registered to nikefirm.com, nikefirm.com nikefirm.com, quanzhou, quanzhou,
17 Fujian, China 362000, xinhuaит@tom.com. The domain name registry for NikeFirm.com is
18 VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
19 NikeFirm.com is Web Commerce Communications Limited dba WebNic.cc. Attached hereto as
20 Exhibit 45 is a true and correct printout from the Registrar's web page of the Whois information
21 for NikeFirm.com.
22

23 52. Nike is informed and believes, and based thereon alleges, that the domain name
24 NikeinStock.com is registered to nikeinstock.com, nikeinstock.com nikeinstock.com, quanzhou,
25 quanzhou, Fujian, China 362000, xinhuaит@tom.com. The domain name registry for
26 NikeinStock.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain
27 name registrar for NikeinStock.com is Web Commerce Communications Limited dba WebNic.cc.
28

1 Attached hereto as Exhibit 46 is a true and correct printout from the Registrar's web page of the
2 Whois information for NikeinStock.com.

3 53. Nike is informed and believes, and based thereon alleges, that the domain name
4 INeedNikeShoes.com is registered to tony gg, adfa ,afa, ss xdsax, HN, China 332321,
5 ytwebdesign1@gmail.com. The domain name registry for INeedNikeShoes.com is VeriSign , Inc.,
6 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
7 INeedNikeShoes.com is Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached
8 hereto as Exhibit 47 is a true and correct printout from the Registrar's web page of the Whois
9 information for INeedNikeShoes.com.

10 54. Nike is informed and believes, and based thereon alleges, that the domain name
11 SoleNike.com is registered to shun lin, linshun, Xinganxincun 35 Longqiaojiedao Chengxiangqu
12 Putian Fujian, putian, fujian, China 351100, yubopig@163.com. The domain name registry for
13 SoleNike.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain
14 name registrar for SoleNike.com is HiChina Zhicheng Technology Limited. Attached hereto as
15 Exhibit 48 is a true and correct printout from the Registrar's web page of the Whois information
16 for SoleNike.com.

17 55. Nike is informed and believes, and based thereon alleges, that the domain name
18 Nike-Kickz.com is registered to Jacky Chen, guang zhou street, Kashi, XJ, China 653285,
19 ziqiang53@163.com. The domain name registry for Nike-Kickz.com is VeriSign , Inc., 21345
20 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for Nike-Kickz.com is
21 Beijing Innovative Linkage Technology Ltd. dba dns.com.cn. Attached hereto as Exhibit 49 is a
22 true and correct printout from the Registrar's web page of the Whois information for Nike-
23 Kickz.com.

1 56. Nike is informed and believes, and based thereon alleges, that the domain name
2 Nike-Kick.com is registered to ziqiang wu, fujian putian, Putian, FJ, China 351100,
3 ziqiang53@163.com. The domain name registry for Nike-Kick.com is VeriSign , Inc., 21345
4 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for Nike-Kick.com is Beijing
5 Innovative Linkage Technology Ltd. dba dns.com.cn. Attached hereto as Exhibit 50 is a true and
6 correct printout from the Registrar's web page of the Whois information for Nike-Kick.com.
7

8 57. Nike is informed and believes, and based thereon alleges, that the domain name
9 Cheap-Nike.com is registered to xiao lin, lin xiao lin, fujianputianchengxiangququfulu56, putian,
10 fujian, China 723445, linhan2009@hotmail.com, previously with an email address of
11 zpq689@163.com. The domain name registry for Cheap-Nike.com is VeriSign , Inc., 21345
12 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for Cheap-Nike.com is
13 HiChina Zhicheng Technology Limited. Attached hereto as Exhibit 51 are true and correct
14 printouts from the Registrar's web page of the Whois information for Cheap-Nike.com.
15

16 58. Nike is informed and believes, and based thereon alleges, that the domain name
17 NikeShopOnline.com is registered to Domain Admin, PrivacyProtect.org, P.O. Box 97,
18 Moergestel, NL 5066 ZH, *contact@privacyprotect.org*. The domain name registry for
19 NikeShopOnline.com is VeriSign , Inc., 21345 Ridgetop Circle, Dulles, Virginia 20166. The
20 domain name registrar for NikeShopOnline.com is Directi Internet Solutions, Pvt., Ltd. d/b/a
21 Publicdomainregistry.com. Attached hereto as Exhibit 52 is a true and correct printout from the
22 Registrar's web page of the Whois information for NikeShopOnline.com.
23

24 59. Nike is informed and believes, and based thereon alleges, that the domain name
25 KidsNikeShoes.com is registered to jianhe liu, Beijing, Beijing, China 101413,
26 *root@kidsnikeshoes.com*. The domain name registry for KidsNikeShoes.com is VeriSign , Inc.,
27 21345 Ridgetop Circle, Dulles, Virginia 20166. The domain name registrar for
28

1 KidsNikeShoes.com is GoDaddy.com, Inc. Attached hereto as Exhibit 53 is a true and correct
2 printout from the Registrar's web page of the Whois information for KidsNikeShoes.com.
3

4 **IV. Factual Background**

5 60. Nike is engaged in the manufacture, design and sale of athletic footwear, apparel,
6 equipment, and related accessories. Among other products, Nike manufactures, sells and
7 distributes basketball and running shoes. Products manufactured and sold by Nike are sold bearing
8 the "NIKE" mark, or an arbitrary and distinctive emblem which has come to be known as the
9 "Swoosh Design," or a composite mark consisting of the word "NIKE" and the "Swoosh Design."
10 Nike utilized these marks on shoes and apparel as trademarks of Nike's high quality products.
11 Nike also developed and utilized the "Nike Air" and "Just Do It" marks as a trademark for its shoes
12 and apparel. Nike sells in excess of \$13,000,000,000 a year in merchandise bearing its distinctive
13 trademarks. Nike sells and advertises its products through nike.com, along with other channels.
14

15 61. All products noted above are sold with the "NIKE," "Swoosh Design" or composite
16 "NIKE" and "Swoosh Design" marks. Nike adopted and used the "NIKE" and "Swoosh Design"
17 marks in 1971. Nike registered the "NIKE" mark in block letters on November 2, 1982,
18 Registration No. 1,214,930 in class 25 for footwear. More recently, Nike has registered the "NIKE
19 AIR" mark, Registration No. 1,284,386 on July 3, 1984 for footwear in class 25 and the "AIR
20 JORDAN" mark, Registration No. 1,370,283 on November 12, 1985 for footwear and apparel in
21 class 25. These are some, but by no means all, of Nike's federal trademark registrations
22 (collectively referred to herein as the "Nike Trademarks"). A table describing the Nike Trademarks
23 is attached as Exhibit 55. Each of the Nike Trademarks has been registered with the United States
24 Patent and Trademark Office pursuant to the Lanham Act (15 U.S.C. § 1051). All of the Nike
25 Trademarks are current and in full force and effect. Many of the marks have become incontestable
26 pursuant to 15 U.S.C. § 1065. Additionally, all of the Nike Trademarks qualify as famous marks
27
28

1 pursuant to 15 U.S.C. § 1125, and were famous before and at the time of registration of the
2 Defendant Domain Names.

3 62. The Nike Trademarks are distinctive when applied to apparel, footwear and related
4 merchandise, and signify to the purchaser that the products come from Nike and are manufactured
5 to the highest quality standards. Whether Nike manufactures the products itself, or licenses others
6 to do it, Nike has insured that products bearing its trademarks are manufactured to such standard.
7 Nike's products have been widely accepted by the public and are enormously popular, as
8 demonstrated by billions of dollars in sales each year.

9 63. This enormous popularity is not without cost, as evidenced by the increasing
10 number of counterfeiters in the United States and around the world. Indeed, it is a modern irony
11 that companies measure success by the extent of their counterfeiting problem.
12

13 **V. Defendants' Unlawful Conduct**

14 64. The Defendant Domain Names are confusingly similar to the Nike Trademarks,
15 consisting in part of Nike's world famous and registered Trademarks combined with various
16 generic words or letters.

17 65. The Defendant Domain Names have been and are currently being used to host
18 commercial websites, respectively, that offer for sale and/or sell counterfeit and/or infringing
19 footwear bearing the Nike Trademarks to the general public ("Infringing Websites"). The
20 Infringing Websites have been designed to lure unsuspecting consumers into purchasing
21 unauthorized merchandise bearing the Nike Trademarks.
22

23 66. Nike is informed and believes that the registrants of the Defendant Domain Names
24 have not responded and/or have ceased to communicate with Plaintiff in response to cease and
25 desist letters served upon them and persist in their unlawful use of the Defendant Domain Names
26 and the sale of counterfeit merchandise infringing the Nike Trademarks. Attached hereto as
27
28

1 Exhibit 54 are true and correct copies of the cease and desist letters sent to the registrants of the
2 Defendant Domain Names.

3 **COUNT I**
4

5 **(Claim for In Rem Injunctive Relief Under the Anticybersquatting Consumer Protection Act,
6 15 U.S.C. § 1125(d))**

7 67. Nike hereby repeats and alleges the allegations set forth in paragraphs 1 through 66
8 above, as if set forth fully herein.

9 68. Nike's claim arises under the Anticybersquatting Consumer Protection Act, 15
10 U.S.C. § 1125(d), for cybersquatting by the Defendant Domain Names, which wholly incorporate
11 the Nike Trademarks.

12 69. Nike owns the exclusive trademark rights to the distinctive Nike Trademarks,
13 specifically including Registration Nos. 1,214,930, 1,284,386 and 1,370,283. All of the trademark
14 registrations are in full force and effect. In many instances, the trademarks have become
15 incontestable pursuant to 15 U.S.C. § 1065. Additionally, all of the Nike Trademarks qualify as
16 famous marks pursuant to 15 U.S.C. § 1125 and were famous before and at the time of registration
17 of the Defendant Domain Names.

18 70. The Defendant Domain Names are each identical or confusingly similar to the Nike
19 Trademarks. The Defendant Domain Names have not been used and are currently not being used
20 for any legitimate purpose, but rather are being used to offer counterfeit Nike merchandise through
21 the web pages to which the Defendant Names resolve. The Defendant Domain Names have been
22 used and are being used with the bad faith intent to profit from the Nike Trademarks and Nike's
23 reputation. Nike is informed and believes the registrants of the Defendant Domain Names
24 exemplify bad faith and harm the goodwill represented by the Nike Trademarks by offering
25 counterfeit Nike goods, diverting consumers from Nike's legitimate online website for the
26
27
28

registrants' own commercial gain, and registering multiple domain names which infringe the rights of Nike and other trademark owners.

71. The Defendant Domain Names violate Nike's rights in the Nike Trademarks. They are identical, confusingly similar to, and dilutive of the famous Nike Trademarks.

72. Nike has satisfied the requirements of 15 U.S.C. § 1125(d)(2)(A)(ii)(II) such that the bringing of this *in rem* action over the Defendant Domain Names is proper.

73. The registration and use of the Defendant Domain Names is causing and is likely to cause substantial and irreparable injury to the public and to Nike. Nike is entitled to transfer of the Defendant Domain Names, pursuant to 15 U.S.C. § 1125(d)(2)(D)(i).

PRAYER FOR RELIEF

WHEREFORE, Nike demands entry of judgment against defendants as follows:

- 1) That VeriSign , Inc. be ordered to change the registrar of the Defendant Domain Names to Corporate Domains, Inc.;
- 2) That Corporate Domains, Inc. be ordered to register the Defendant Domain Names in the name of Nike, Inc.; and
- 3) That Nike have such other and further relief that this Court deems just.

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